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June 23, 2020

VIA ELECTRONIC FILING
The Honorable Jocelyn G. Boyd
Chief Clerk/Executive Director
Public Service Commission of South Carolina
101 Executive Center Drive
Columbia, South Carolina 29211

Re: South Carolina Energy Freedom Act (H.3659) Proceeding to Establish Dominion Energy South Carolina, Incorporated's Standard Offer, Avoided Cost Methodologies, Form Contract Power Purchase Agreements, Commitment to Sell Forms, and Any Other Terms or Conditions Necessary (Includes Small Power Producers as Defined in 16 United States Code 796, as Amended) - S.C. Code Ann. Section 58-41-20(A); Docket No. 2019-184-E

Dear Ms. Boyd:

Dominion Energy South Carolina, Inc. ("DESC") received the letter dated June 17, 2020, filed in the above-captioned docket on behalf of the following parties: (1) South Carolina Solar Business Alliance, Inc. , (2) South Carolina Coastal Conservation League and Southern Alliance for Clean Energy[1] , and (3) Johnson Development Associates, Inc. (collectively the "Solar Parties"). Counsel for these parties asked the Public Service Commission of South Carolina (the "Commission") to "treat this correspondence as a Motion for Withdrawal," thereby withdrawing the petitions for rehearing previously filed by these parties.

[1] Mr. Blan Holman executed the June 17, 2020 letter indicating that he executed the letter on behalf of the South Carolina Coastal Conservation League ("CCL"), Southern Alliance for Clean Energy ("SACE"), and Upstate Forever. However, the Petition to Intervene filed in this docket by Mr. Holman only included CCL and SACE. Likewise, the Commission's Order addressing Mr. Holman's Petition to Intervene only granted intervenor status to CCL and SACE. See Order No. 2019-544. Thus, while it has no bearing on the withdrawal by the Solar Parties, it appears that Upstate Forever is not a party of record in this docket.

(continued...)

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In Order No. 2020-244 dated March 24, 2020, the Commission granted the petitions for rehearing filed by the Solar Parties and ordered that "a limited rehearing is approved and this shall be confined strictly to the narrow matter of PPA duration of longer than ten years and related terms and conditions." Order No. 2020-244 at p. 15.

DESC draws the Commission's attention to S.C. Code Ann. § 58-3-225(E), which permits a party petitioner to withdraw its petition "one time as a matter of right" if the withdrawing party files its withdrawal, as applicable here, prior to the "date that the withdrawing party's direct testimony addressing such petition . . . is due to be filed with the commission." The Solar Parties' direct testimony was due on June 18, 2020, and their withdrawal was filed on June 17, 2020; thus, it appears the withdrawal is a matter of right and Commission approval is not required. Therefore, under the provisions of section 58-3-225(E), DESC does not oppose the withdrawal of the petitions for limited rehearing as the withdrawal is a statutorily granted right.

Further, in light of the fact that the Solar Parties have withdrawn their petitions for limited rehearing, DESC supports their request that the Commission close the limited rehearing proceeding.

Since the withdrawal of the Solar Parties' petitions is a matter of right, no reasons are required to justify the withdrawal, and DESC respectfully requests that the Commission so find. Should the Commission decide to consider any finding other than the withdrawal is statutorily authorized and the limited rehearing is administratively closed, then DESC respectfully ask that it be given notice thereof and provided with an opportunity to be heard as required by constitutional due process and S.C. Code Ann. Regs. 103-853(B).

Finally, so the record is clear, DESC respectfully disagrees with the Solar Parties interpretation of sections 58-41-20(F)(1) and (2) set forth in their June 17, 2020 letter, and respectfully asserts that their proposed interpretation, in addition to being wrong, is simply superfluous as no findings or conclusions are required or should be made regarding the appropriate interpretation of these statutory sections based on the Solar Parties' withdrawal of their petitions for limited rehearing.

If you have any questions or need further information, please advise.

Very truly yours,

WILLOUGHBY & HOEFER, P.A.

s/Mitchell Willoughby

Mitchell Willoughby

MW/lla

cc: All parties of record via email and electronic filing